

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE:
JOHN ROBERT ZURZOLO,
Plaintiff.

Case No.: 2:21-cv-01168-APG-EJY

Order Accepting Report and Recommendation

[ECF No. 3]

7 On November 1, 2021, Magistrate Judge Youchah recommended that I dismiss plaintiff
8 John Zurzolo’s complaint because Zurzolo’s initiating documents do not provide fair notice to
9 any defendant of what his claims are. ECF No. 3. Zurzolo did not object. Thus, I am not
10 obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1)
11 (requiring district courts to “make a de novo determination of those portions of the report or
12 specified proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328
13 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s
14 findings and recommendations de novo *if objection is made*, but not otherwise” (emphasis in
15 original)).

16 I THEREFORE ORDER that Magistrate Judge Youshah's report and recommendation
17 (**ECF No. 3**) is accepted. Plaintiff John Zurzolo's initiating document (ECF No. 1) is dismissed
18 without prejudice. Plaintiff John Zurzolo must file an amended complaint consistent with Judge
19 Youshah's report and recommendation by December 22, 2021. Failure to file an amended
20 complaint by that date will result in dismissal of this case, without prejudice to Zurzolo initiating
21 a new action.

DATED this 19th day of November, 2021.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE